

Student Conduct: Statute and General Authority Given to Principals and Teachers

The school board grants the school principal and teaching staff the statutory and general authority to act in the absence of written district policy or school building regulations in a manner that has the best interests, health, and safety of the student(s) in mind.

Idaho law establishes the teacher's right to control students as follows: In the absence of any statute or rule or regulation of the school board, any teacher employed by the school district shall have the right to direct how and when each pupil shall attend to his/her appropriate duties, and the manner in which a pupil shall demean himself/herself while in attendance at the school. It is the duty of a teacher to carry out the rules and regulations of the school board.

General authority is given to the school principal, teaching staff, and other employees to regulate the conduct of pupils in an orderly process, limited by student due process and involvement. The authority to formulate rules and regulations, by implication, includes the authority to enforce them.

In general, it is held that the school principal and teachers stand "in loco parentis" while the students are in school. The principal and teachers act in the place of the parents in terms of education and conduct and may enforce rules and regulations.

It should be noted, however, that the meaning of "in loco parentis" not only refers to discipline but also involves the protection and understanding that parents give and that students need.

Legal source: Idaho Code 33-1224 "Powers and duties of teachers."

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Revised: